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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor	: Joseph A. Marino	
Appln. No.	: 10/668,445	
Filed	: September 23, 2003	Group Art Unit: 3738
Title	: RIGHT RETRIEVAL MECHANISM	Examiner: Christopher D. Prone
Docket No.	: C516.12-0014	

CERTIFICATION OF TELEFACSIMILE TRANSMISSION

Examiner Christopher D. Prone
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

571-273-8300

I certify that the following papers are being telefacsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

1. Applicant Initiated Interview Request Form PTOL-413A;
2. Request for Examiner Interview with proposed claim amendments; and
3. Patent Electronic Filing Acknowledgment Receipt.

KINNEY & LANGE, P.A.

Date: January 21, 2009By: Carolyn H. Beck

Carolyn H. Beck, Reg. No. 57,588
THE KINNEY & LANGE BUILDING
312 South Third Street
Minneapolis, MN 55415-1002
Telephone: (612) 339-1863
Fax: (612) 339-6580

CHB:kmm

8 PAGES - INCLUDING COVER PAGE

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002/008

PTOL-413A (12-08)
 Approved for use through 01/31/2009. OMB 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/668,445 First Named Applicant: Joseph A. Marino
 Examiner: Christopher D. Prone Art Unit: 3738 Status of Application: Pending

Tentative Participants:

(1) David R. Fairbairn, Reg. No. 26,047 (2) Carolyn H. Beck, Reg. No. 57,588
 (3) _____ (4) _____

Proposed Date of Interview: January 22, 2009 Proposed Time: 9 AM CST (10 EST) AM/PM

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☒ YES ☐ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>Claims 1 & 17</u>	<u>Huebsch & King</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Argument to be Presented:

Please see attached

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/Carolyn H. Beck/

Applicant/Applicant's Representative Signature

Carolyn H. Beck

Typed/Printed Name of Applicant or Representative

57,588

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor	: Joseph A. Marino	
Appln. No.	: 10/668,445	Confirmation No.: 2339
Filed	: September 23, 2003	Group Art Unit: 3738
Title	: RIGHT RETRIEVAL MECHANISM	Examiner: Christopher D. Prone
Docket No.	: C516.12-0014	

REQUEST FOR EXAMINER INTERVIEW

In the last three Office Actions (dated December 5, 2008, September 10, 2008, and February 20, 2008), FIG. 16 of Huebsch et al. (U.S. Pat. No. 5,853,422), hereinafter Huebsch '422, is annotated and presented as a hurdle to patentability. Attached is the most recent version of FIG. 16 from Huebsch '422 with original annotations from Christopher D. Prone shown in typeface. In an attempt to map the elements of claim 1 onto FIG. 16 of Huebsch '422, additional annotations by Carolyn H. Beck are shown in handwriting. Also attached, is a copy of pending claims 1 and 17 with bold typeface presenting the elements that are not present in Huebsch '422. Carolyn H. Beck (Reg. No. 57,588) and David R. Fairbairn (Reg. No. 26,047) request an opportunity to discuss currently pending claims 1 and 17 as they relate to FIG. 16 of Huebsch '422.

Respectfully submitted,

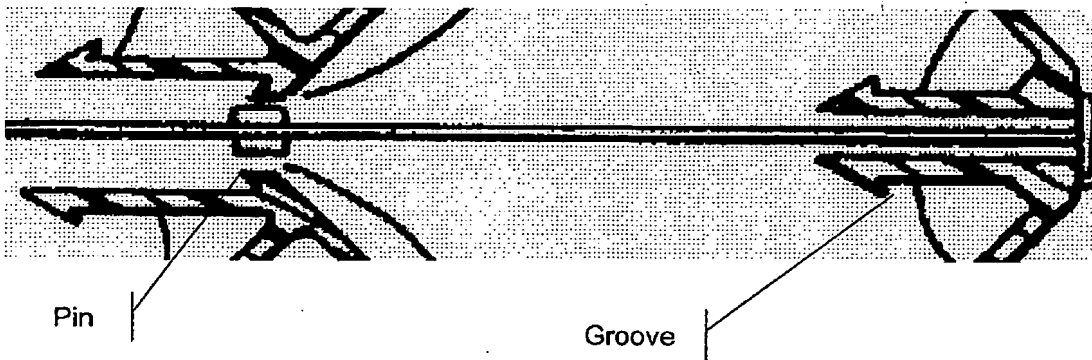
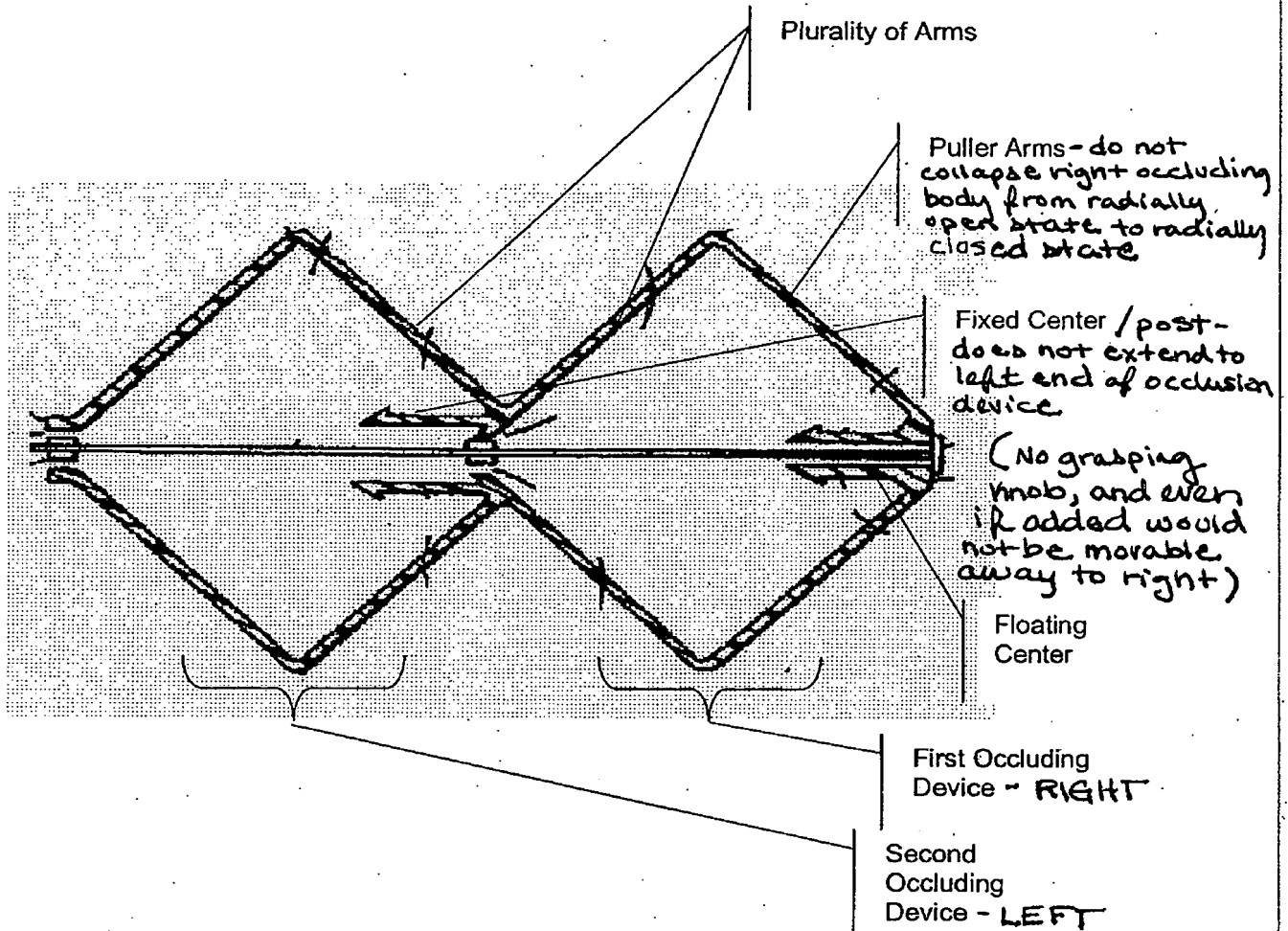
KINNEY & LANGE, P.A.

Date: January 20, 2009

By: /Carolyn H. Beck/
Carolyn H. Beck, Reg. No. 57,588
THE KINNEY & LANGE BUILDING
312 South Third Street
Minneapolis, MN 55415-1002
Telephone: (612) 339-1863
Fax: (612) 339-6580

Left
←

Right
→



CLAIMS FOR DISCUSSION:

1. (Previously Presented) An occlusion device having a right end and having a left end that is insertable through a septal defect, the occlusion device comprising:

- a center post **extending to the left end of the occlusion device;**
- a right occluding body comprising a first plurality of arms attached to the center post at radially innermost ends;
- a left occluding body comprising a second plurality of arms attached to the center post at radially innermost ends, the left occluding body being located closer to the left end of the occlusion device and the right occluding body being located closer to the right end of the occlusion device;
- a plurality of puller arms attached to the right occluding body **for collapsing the right occluding body from a radially open state to a radially collapsed state,** the puller arms being located on a right side of the right occluding body;
- a floating center located at the right end of the occlusion device external to the right occluding body and connected to the puller arms at a position to the right of both the right and left occluding bodies; and
- a grasping knob located on a right end of the floating center wherein the floating center is positioned adjacent the center post when the right occluding body is in its radially open state, and is movable away to the right from the center post by force applied to the grasping knob in a direction to the right to cause the puller arms to radially collapse the right occluding body.

17. (Previously Presented) An occlusion device having a right end and a left end, the left end being insertable through a septal defect, the occlusion device comprising:

- a center section extending in an axial direction **to the left end of the occlusion device;**
- right and left elastic shape memory fixation devices each comprising a plurality of

arms attached to the center section at radially innermost ends such that each fixation device extends radially outward from the center section;
right and left sheets attached to the right and left fixation devices, respectively so that the left sheet is closer to the left end of the closure device, and the right sheet is closer to the right end of the closure device;
a plurality of puller arms connected to the right fixation device, the puller arms being positioned on a right side of the right fixation device;
a floating center positioned to the right of the center section and to the right of both the left and right sheets, and connected to the puller arms, the floating center being external to the right fixation device; and
a grasping knob located at the right end of the floating center, which, when pulled away from the center section, pulls the puller arms to collapse the right fixation device, and right sheet from a radially open state to a radially collapsed state.

Patent Electronic Filing

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Acknowledgement ReceiptThe USPTO has received your submission at **14:02:27** Eastern Time on **20-JAN-2009**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

eFiled Application Information

EFS ID	4639280
Application Number	10668445
Confirmation Number	2339
Title	Right retrieval mechanism
First Named Inventor	Joseph A. Marino
Customer Number or Correspondence Address	00164
Filed By	Carolyn Harris Beck
Attorney Docket Number	C516.12-0014
Filing Date	23-SEP-2003
Receipt Date	20-JAN-2009
Application Type	Utility under 35 USC 111 (a)

Request for Examiner
Interview filed
1/20/09

Application Details

Submitted Files	Page Count	Document Description	File Size	Warnings
RequestForExaminerInterview.pdf	4	Letter Requesting Interview with Examiner	202628 bytes	◆ PASS
PTOL-413ARequestForm.pdf	1	Letter Requesting Interview with Examiner	173107 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this

https://portal.uspto.gov/secure/PA_1_0_111/efswweb/jsp/efs0-4-6-1-0.jsp

1/20/2009

Patent Electronic Filing

Page 2 of 2

Acknowledgement Receipt will establish the international filing date of the application.

If you need help:

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- *If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.*